

**SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 24, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kate DeGroot, Page.

Approval of Journal

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Mr. Sali asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Margaret Henbest, State Representative, District 16, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Ms. Gail Bray, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Ms. Gail Bray, Acting State Representative, District 16, House Seat A, State of Idaho, for a term commencing on March 24, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 17th day of March in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE

Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ms. Bray.

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that David H. Bieter, State Representative, District 19, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated John Patrick Bieter Jr., of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint John Patrick Bieter Jr., Acting State Representative, District 19, House Seat A, State of Idaho, for a term commencing on March 24, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 20th day of March in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Bieter.

OFFICE OF THE GOVERNOR
Boise

March 21, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 179

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 21, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1016**, **S 1120**, and **S 1130**, as amended, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1016**, **S 1120**, and **S 1130**, as amended, and, when so signed, ordered them returned to the Senate.

March 21, 2003

Mr. Speaker:

I return herewith enrolled **HJM 4**, **HCR 25**, **H 71**, as amended, **H 276**, **H 263**, **H 102**, **H 298**, **H 330**, **H 171**, **H 291**, and **H 67** which have been signed by the President.

WOOD, Secretary

Enrolled **H 71**, as amended, **H 276**, **H 263**, **H 102**, **H 298**, **H 330**, **H 171**, **H 291**, and **H 67** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 4** and **HCR 25** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 383**, **H 384**, **H 385**, **H 386**, and **H 387**.

FIELD(18), Chairman

H 383 was referred to the Business Committee.

H 385, **H 386**, and **H 387** were referred to the State Affairs Committee.

H 384 was filed for second reading.

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 206**, as amended, **H 203**, **H 213**, **H 237**, **H 238**, as amended, and **H 211**, as amended.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 206**, as amended, **H 203**, **H 213**, **H 237**, **H 238**, as amended, and **H 211**, as amended, and, when so signed, ordered them

transmitted to the Senate for the signature of the President.

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 256**, as amended, **H 257**, **H 261**, **H 143**, **H 134**, **H 133**, **H 66**, as amended, **H 214**, **H 220**, **H 266**, **H 113**, as amended in the Senate, and **H 208**, as amended in the Senate, to the Governor at 12:20 p.m., as of this date, March 21, 2003.

FIELD(18), Chairman

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 26** to the Secretary of State at 2:45 p.m., as of this date, March 21, 2003.

FIELD(18), Chairman

March 21, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HR 2** and recommend that it do pass.

FIELD(18), Chairman

H 2 was filed for second reading.

March 24, 2003

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **SCR 103** and recommend that it do pass.

MEYER, Chairman

SCR 103 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 10 BY WAYS AND MEANS COMMITTEE

A JOINT MEMORIAL

TO THE UNITED STATES SECRETARY OF AGRICULTURE, THE UNITED STATES SECRETARY OF THE INTERIOR, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, ground and road access to the Idaho backcountry is very limited and the Idaho backcountry airstrip system provides remote access for tourism, recreation, mail and supply delivery, fire suppression, law enforcement, military training, search and rescue, medical evacuation, disaster response and in-flight emergencies; and

WHEREAS, backcountry aircraft landing strips enable people who are otherwise physically unable, to enjoy the remote outdoor opportunities Idaho has to offer; and

WHEREAS, the Idaho backcountry airstrip system is unique and is an important asset to the economy of Idaho because it draws tourism and recreation visitors from all fifty states and numerous foreign countries; and

WHEREAS, forty-five of the sixty-two Idaho backcountry airstrips for public use are located on lands managed by the federal government; and

WHEREAS, the federal Central Idaho Wilderness Act of 1980, Public Law 96-312, allows continued use of airstrips which were in use prior to the wilderness designation and does not allow the closure of such airstrips without the express written concurrence of the state of Idaho; and

WHEREAS, the federal government is acting in such a way as to establish a disturbing trend that is circumventing federal law and is effectively closing airstrips or is denying access to many airstrips for use by the general public; and

WHEREAS, one method being used by the federal government to deny access to backcountry airstrips located on federally-managed lands lying both within and outside of wilderness areas is to change designation of the airstrip from "public use" to "private use" or "emergency use only" thereby requiring express permission to be obtained from the federal government before the airstrip can be used; and

WHEREAS, another method being used by the federal government to effectively close airstrips is to publish official airport identification locator maps in which existing, usable airstrips have been intentionally omitted; and

WHEREAS, the federal government employs yet another method to actually close existing airstrips by purchasing land containing an airstrip and having the previous private owner remove airstrip designation from the description of the property prior to the sale so that when ownership of the land transfers to the federal government, no airstrip transfers with the title.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urgently request the Congress of the United States to preserve access to backcountry airstrips by introducing into the current 108th Congress Senate Bill No. 681, the Backcountry Landing Strip Access Act from the 107th Congress and its companion legislation House Resolution No. 1363; and

BE IT FURTHER RESOLVED that to ensure the greatest amount of public access to public recreation lands, the Congress of the United States is strongly urged to designate as "public use" all nonmilitary aircraft landing areas located on federally-managed lands.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the United States

Secretary of Agriculture and the United States Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 10 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 388 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE STATE LOTTERY; AMENDING SECTION 67-7404, IDAHO CODE, TO DEFINE THE TERM "RESPONSIBLE SUPPLIER"; AMENDING SECTION 67-7420, IDAHO CODE, TO REVISE THE PROCESS FOR THE DIRECTOR OF THE STATE LOTTERY ENTERING INTO MAJOR PROCUREMENT CONTRACTS; AND DECLARING AN EMERGENCY.

H 388 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 382, by State Affairs Committee, was read the second time by title and filed for third reading.

H 346, by Education Committee, was read the second time by title and filed for third reading.

S 1108, as amended, as amended, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

S 1010, as amended, **S 1079**, and **S 1082**, by Transportation Committee, were read the second time by title and filed for third reading.

S 1137, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1102, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

S 1050, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1166, by Finance Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mrs. Boe. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 24, 2003

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **HCR 24, H 335, H 336, S 1115, and H 202**, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO HCR 24

AMENDMENTS TO THE RESOLUTION

On page 1 of the printed resolution, in line 39, delete "Grangeville" and insert: "Council"; and in line 41, following "pounds" insert: "based upon acceptable engineering and safety standards".

CORRECTION TO TITLE

On page 1, in line 4, delete "GRANGEVILLE" and insert: "COUNCIL"; and in line 6, following "POUNDS" insert: "BASED UPON ACCEPTABLE ENGINEERING AND SAFETY STANDARDS".

HOUSE AMENDMENT TO H 335

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, delete "tool".

HOUSE AMENDMENT TO H 336

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 49, delete "tool".

HOUSE AMENDMENT TO S 1115

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 28 and insert:

"(2) The court may allow a credit against child support arrearages for periods of time exceeding one hundred twenty (120) days during which the minor children have lived primarily with the obligated parent with the knowledge and consent of the custodial parent."

CORRECTION TO TITLE

On page 1, delete lines 3 through 10 and insert: "SECTION 32-709, IDAHO CODE, TO PROVIDE THAT THE COURT MAY ALLOW A CREDIT AGAINST CHILD SUPPORT ARREARAGES FOR PERIODS OF TIME EXCEEDING ONE HUNDRED TWENTY DAYS DURING WHICH THE MINOR CHILDREN HAVE LIVED PRIMARILY WITH THE OBLIGATED PARENT WITH THE KNOWLEDGE AND CONSENT OF THE CUSTODIAL PARENT AND TO MAKE A TECHNICAL CORRECTION.".

HOUSE AMENDMENT TO H 202, as amended

AMENDMENT TO THE BILL

On page 2 of the engrossed bill, following line 45, insert:

"SECTION 4. It is legislative intent that this enactment will save funds and reduce human suffering within the amounts budgeted in the effective and future fiscal years. To that end it is legislative intent that, subject to the authorization of such program by federal Health and Human Services officials, a 2-year pilot project be implemented by the Department of Health and Welfare where CHIP funds currently being spent on neonatal intensive care expenses will be redirected to prenatal care for unborn children with the following limitations:

1. The services described below will be available for unborn children, and their mothers, for households between 133% and 150% of federal poverty level.

2. Antepartum care will be available pursuant to CPT codes 59425 and 59426, as applicable and will be available for qualified persons, including eligible residents and ineligible aliens, who would not qualify for services under the current requirements for Pregnant Women and Children services.

3. The mother of each qualifying unborn child shall receive prenatal vitamins up to \$48.00 and for a program total of \$84,960 for fiscal year 2004 and with up to an additional 1.8% increase for population growth for each future year.

4. Mothers of qualifying unborn children may receive medications up to \$300 during the pregnancy for up to a program total of \$53,100 for fiscal year 2004 and with up to an additional 1.8% increase for population growth for each future year.

5. Mothers of qualifying unborn children may receive ultrasounds up to \$300 during the pregnancy for up to a program total of \$53,100 for fiscal year 2004 and with up to an additional 1.8% increase for population growth for each future year.

6. Mothers of qualifying unborn children may receive lab services up to \$120 during the pregnancy for up to a program total of \$212,400 for fiscal year 2004 and with up to an additional 1.8% increase for population growth for each future year.

7. It is intended that the Department of Health and Welfare seek authorization to process claims and payments in the most cost-efficient manner feasible, including use of existing CPT codes for services, use of existing computer programming, use of mother's name with an assumed number to identify the unborn child and, if needed, processing of claims and payments off-line from the department's main computers.

8. The Department of Health and Welfare may expend additional amounts from avoided costs to provide administration of the program and to provide additional pregnancy-related

services to accomplish the goals of avoiding neonatal intensive care costs and reducing human suffering of children before and after they are born."

We have also had under consideration **S 1051**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

HCR 24, as amended, **H 335**, as amended, **H 336**, as amended, and **H 202**, as amended, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1115, as amended in the House, was filed for First Reading.

S 1051 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1093 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kulczyk to open debate.

The question being, "Shall **S 1093** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Clark, Cuddy, Deal, Field(23), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1093** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 198, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **H 198**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bradford, Campbell, Cannon, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Shepherd, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 52.

NAYS -- Barrett, Bolz, Clark, Collins, Crow, Deal, Eberle, Kellogg, Kulczyk, Lake, McKague, Moyle, Sali, Schaefer, Skippen, Tilman, Wood, Mr. Speaker. Total -- 18.

Total -- 70.

Whereupon the Speaker declared **H 198**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 17, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eberle to open debate.

The question being, "Shall **H 17**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Kulczyk, Langford, McKague, Schaefer. Total -- 5.

Absent and excused -- Crow, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 17**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until

1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 370 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 370** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Langford, McGeachin, McKague, Meyer, Moyle, Nielsen, Raybould, Ring, Roberts, Sali, Schaefer, Shirley, Skippen, Stevenson, Tilman, Wills. Total -- 40.

NAYS -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Edmunson, Henbest(Bray), Jaquet, Jones, Lake, Langhorst, Martinez, Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Rydalch, Sayler, Shepherd, Smith(30), Smith(24), Smylie, Snodgrass, Trail. Total -- 26.

Absent and excused -- Clark, Field(23), Wood, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 370** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 371 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to open debate.

The question being, "Shall **H 371** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague,

Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills. Total -- 62.

NAYS -- Jones, Lake, Rydalch. Total -- 3.

Absent and excused -- Clark, Field(23), Ringo, Wood, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 371** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 372 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

Mr. Mitchell moved that **H 372** be placed on General Orders for consideration. Seconded by Mr. Naccarato.

At this time, the Speaker took the Chair.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Henbest(Bray), Jaquet, Jones, Langhorst, Martinez, Mitchell, Naccarato, Robison, Sayler, Shepherd, Smith(30), Smith(24), Trail. Total -- 18.

NAYS -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Rydalch, Sali, Schaefer, Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 49.

Absent and excused -- Field(23), Ringo, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **H 372** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Ring, Roberts, Sali, Skippen, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 40.

NAYS -- Andersen, Bieter(Bieter), Boe, Clark, Cuddy, Douglas, Edmunson, Henbest(Bray), Jaquet, Jones, Lake, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Ridinger, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail.

Total -- 29.

Absent and excused -- Ringo. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 372** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1123 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bauer to open debate.

The question being, "Shall **S 1123** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Crow, Kulczyk, McKague, Moyle, Schaefer. Total -- 6.

Absent and excused -- Ellsworth, Ringo, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1123** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 367 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman and Mr. Andersen to open debate.

The question being, "Shall **H 367** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Kulczyk, Sali. Total -- 3.

Absent and excused -- Field(23), Ringo, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 367** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1134 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

The question being, "Shall **S 1134** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Field(23), Jones, Ringo, Sali, Smith(24), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1134** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 279 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner and Mrs. Kellogg to open debate.

The question being, "Shall **H 279** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- McKague. Total -- 1.

Absent and excused -- Field(23), Ringo, Smith(24), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 279** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1154 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1154** pass?"

Roll call resulted as follows:

AYES -- BarracloUGH, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Langford, McGeachin, Moyle, Nielsen, Raybould, Ring, Roberts, Sali, Schaefer, Skippen, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 38.

NAYS -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Eberle, Edmunson, Henbest(Bray), Jaquet, Jones, Lake, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Smith(30), Smith(24), Smylie, Trail. Total -- 29.

Absent and excused -- Clark, Field(23), Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **S 1154** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1155 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1155** pass?"

Roll call resulted as follows:

AYES -- BarracloUGH, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Lake, Langford, McGeachin, Meyer, Miller, Moyle, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 47.

NAYS -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Henbest(Bray), Jaquet, Jones, Kulczyk, Langhorst, Martinez, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Shepherd, Smith(30), Trail. Total -- 20.

Absent and excused -- Clark, McKague, Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **S 1155** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1156 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1156** pass?"

Roll call resulted as follows:

AYES -- Andersen, BarracloUGH, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Clark, Lake, McKague, Roberts, Wood. Total -- 5.
Total -- 70.

Whereupon the Speaker declared **S 1156** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1157 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1157** pass?"

Roll call resulted as follows:

AYES -- BarracloUGH, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Langford, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Sali, Schaefer, Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 47.

NAYS -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Henbest(Bray), Jaquet, Kulczyk, Langhorst, Martinez, Naccarato, Ringo, Robison, Rydalch, Sayler, Shepherd, Smith(30), Smith(24), Trail. Total -- 19.

Absent and excused -- Clark, Lake, Roberts, Wood. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **S 1157** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1158 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1158** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- McKague, Rydalch. Total -- 2.

Absent and excused -- Clark, Lake, Roberts, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1158** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1159 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1159** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Robison, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 54.

NAYS -- Boe, Henbest(Bray), Jaquet, Jones, Martinez, Mitchell, Naccarato, Ringo, Rydalch, Smith(30), Smith(24), Trail. Total -- 12.

Absent and excused -- Clark, Lake, Roberts, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1159** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1161 was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1161** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Cuddy, Kulczyk, Rydalch. Total -- 4.

Absent and excused -- Campbell, Clark, Lake, Roberts, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1161** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 195, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd, and Mr. Naccarato to open debate.

The question being, "Shall **H 195**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Langford, Langhorst, Martinez, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Kulczyk, McGeachin, McKague, Sali. Total -- 4.

Absent and excused -- Campbell, Clark, Lake, Meyer, Roberts. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 195**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration for enrolling.

Mr. Denney asked unanimous consent that beginning

Tuesday, March 25, 2003, all House bills be placed at the top of the Third Reading Calendar, followed by House Appropriation Bills, Senate Finance Bills, House Bills, as amended in the Senate, and Senate Bills. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Tuesday, March 25, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:52 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk